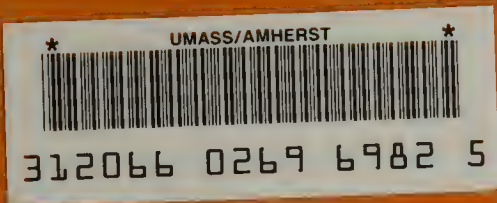


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# **A Guide to CIVIL SERVICE PERSONNEL TRANSACTIONS**

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**DEPARTMENT OF PERSONNEL ADMINISTRATION  
DIVISION OF INFORMATION SERVICES**



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## INTRODUCTION

This manual is intended to be a quick reference guide which explains the many variables which affect the most common types of civil service personnel transactions as governed by Massachusetts General Law, Chapter 31. It reflects those sections of this chapter about which the most questions are asked. The graphs will provide an instantaneous response to any question with all the variables interacting. All section citations, unless otherwise noted, refer to Chapter 31.

While using this guide, it is important to remember that the Personnel Administration Rules (PAR's) are also a part of the civil service process and work in conjunction with Chapter 31. In circumstances when both Chapter 31 and the PAR's are silent on a particular issue, the provisions contained in an individual collective bargaining agreement may stand. In all other situations, civil service law and rule takes precedence.

Incorporated as part of this manual is a Glossary of Personnel and Civil Service Terms prepared by the Commonwealth of Massachusetts as part of The Handbook for Massachusetts State Managers.



# APPOINTMENT





## SECTION 1: SEASONAL EMPLOYEES

### EMPLOYED:

1. full time or part time basis
2. (a) from May 1 through September 30

OR

- (b) from November 1 through April 1  
in any 12 month period

### NOT CONSIDERED SEASONAL:

- (a) police or fire forces in municipalities;
- (b) detective force of the state department of public safety, capitol or MDC police; or
- (c) permanent position funded on a permanent basis.

EXCEPTION: Certain police officers in specific counties can be considered seasonal and exempt from Chapter 31. See Chapter 31, Section 1 "Seasonal Employees".

## SECTION 6: ORIGINAL APPOINTMENT

### PROCESS:

1. Appointing authority submits requisition.
2. Personnel Administrator certifies list of eligible applicants. (official service only)
3. Appointment made after certification from eligible list established as a result of competitive examination (except as provided in sections 26, 40, 47, 56, and 60).
4. If no suitable eligible list exists or there are fewer than three applicants willing to accept, a provisional appointment may be authorized (see sections 12, 13, 14).

## SECTION 12: PROVISIONAL APPOINTMENT

### MAY BE AUTHORIZED:

1. if no suitable eligible list exists

OR

2. (a) there are fewer than three qualified applicants willing to accept

AND

Section 12: Provisional  
Appointment (continued)

(b) the appointing authority submits sound and sufficient reasons for not appointing.

3. Provisional appointment can be made pending the establishment of an eligible list.
4. If no list is established as a result of the examination held, the appointing authority may request the extension of the provisional applicant's employment.

SECTION 31: EMERGENCY APPOINTMENT WITHOUT REQUISITION

MAY BE APPROVED:

1. if it is not a laborer position;
2. upon written notification to Personnel Administrator by appointing authority;
3. if the circumstances are unforeseen and the public business would be seriously impeded by lapse of time;
4. for not more than 30 working days during a sixty day period;
5. and renewed only by consent of Personnel Administrator;  
AND  
(a) such renewal may only be for an additional 30 working days; and  
(b) only consent for one renewal (and appointment) may be granted in any 12 month period except if position deals with public safety or public health.

SECTION 32: EMERGENCY APPOINTMENT TO LABORER

MAY BE APPROVED:

1. if the circumstances are unforeseen and the public business would be seriously impeded by lapse of time;
2. upon written notification to Personnel Administrator by appointing authority;
3. for not more than 30 working days during a sixty day period;
4. and renewed for additional 30 working days with the consent of the Personnel Administrator or Delegated Labor Service Director;

Section 32: Emergency Appointment  
to Laborer (continued)

5. and renewed for an additional 15 working days without the consent of the Personnel Administrator;
6. no other renewal and/or appointment of the same person may be made in the 12 month period from the first date of employment;
7. any person so employed may have a total of 60 days of civil service employment in any 12 month period.

SECTION 60  
RESERVES TO REGULAR POLICE OR FIRE FORCES

APPOINTMENT SPECIFICS:

1. Reserves and intermittents for this purpose are considered the same type of employment.
2. These persons are certified in order of the reserve or intermittent appointment date prior to the open competitive list being certified.
3. Reserve or Intermittent Officers who fail to respond or decline full-time appointment three times are removed from future certifications and terminated from the force.

EXCEPTION: those serving in U. S. Armed Forces at any time they fail to respond.

4. Appointing authority must submit termination notice (Form 56) to Personnel Administrator.
5. Applicants who are 50+ years old are ineligible for appointment to the regular police or fire force.
6. This section does not prevent appointment from call fire forces.



# DISCHARGE or REMOVAL





## SECTION 41: DISCHARGE OR REMOVAL

### PROCESS:

#### 1. DISCHARGE

(a) tenured employee must receive:

- ° written notice from appointing authority including
  - action contemplated
  - reasons for such action
  - copies of Sections 41 - 45; and

(b) given a full hearing

- ° written notice of time and place of hearing to employee at least 3 days in advance;
- ° EXCEPT that if discharge is due to lay off, notice must be given 7 days in advance and copies of sections 39 and 40 supplied.

#### 2. SUSPENSION

- (a) employee is automatically reinstated after first suspension of more than five days or any suspension for less than five days;
- (b) if approval is withheld after a second or subsequent suspension of more than five days, employee may appeal to the civil service commission (section 2, paragraph (b));
- (c) appointing authority may impose up to five days suspension without a hearing:
  - ° within 24 hours, must provide employee with copy of sections 41 - 45; AND
  - ° written notice stating reasons for suspension
- (d) employee has 48 hours to file written request for hearing before appointing authority;
- (e) hearing must be held within five days;
- (f) decision rendered within seven days;
- (g) if appointing authority finds in favor of the employee, employee is considered not to have been suspended and must be compensated for time.

Section 41: Discharge or  
Removal (continued)

3. If a provisional employee with 9 months or more service is discharged as a result of allegations relative to personal character or work performance which are going to be made part of the employment record, employee can request a hearing.

(a) hearing must be held within 10 days

(b) appointing authority's decision is final

(c) decision must be rendered within 10 days

Also refer to Chapter 32, Section 16 (Retirement Law) for further information relative to the discharge, removal or failure to reappoint employees who meet certain criteria regarding length of service, age and veteran's status.



# LEAVE of ABSENCE

1. PURPOSE AND SCOPE

2. ELIGIBILITY CRITERIA

3. REQUEST PROCEDURE

4. APPROVAL PROCESS

5. DURATION AND RENEWAL

6. PAYMENT OF BENEFITS

7. RETURN TO WORK

8. DISPUTES AND APPEALS

9. AMENDMENTS

10. CONTACT INFORMATION

11. SIGNATURES

12. ATTACHMENTS

13. REVISION HISTORY

14. EFFECTIVE DATE

15. APPROVED BY

16. REVIEW DATE

17. COMMENTS

18. SIGNATURE

19. DATE

20. EMPLOYEE ID

21. DEPARTMENT

22. POSITION

23. EMPLOYEE SIGNATURE

24. EMPLOYEE DATE

25. EMPLOYEE ADDRESS

26. EMPLOYEE PHONE

27. EMPLOYEE EMAIL



## SECTION 37: LEAVE OF ABSENCE

### CRITERIA TO BE MET:

1. A permanent employee requests a leave in writing.
2. Written request is filed with the appointing authority at least 14 days in advance.
3. A leave of absence for 3 or more months, EXCEPT one granted for illness, must be approved by the Personnel Administrator.
4. Person must be reinstated at the end of the leave.
5. If person fails to return,
  - (a) Appointing authority sends written notice informing the employee of termination within 14 days of end of leave.
  - (b) Copy of notice must be sent to Personnel Administrator.
  - (c) The provisions of sections 41 - 45 do not apply in this instance.
  - (d) Subsequent reinstatement (section 46) is not precluded.

### SENIORITY IS AFFECTED:

If leave is more than 6 months, EXCEPT if leave was for:

1. military service
2. illness
3. educational leave
4. abolition of position
5. lay off
6. injured on the job

### HOW IS SENIORITY AFFECTED:

- A. after 6 months, seniority is date of restoration to payroll

UNTIL

- B. employee has served twice the length of the absence (6 month absence requires one year of service)

THEN

- C. the length of the absence is added to original seniority date to create the new seniority date



# PROMOTION



## SECTION 8: PROMOTIONAL QUALIFYING

### CRITERIA TO BE MET:

(for examination to be held and promotion affected)

1. next higher title in same series
  2. same departmental unit
  3. employee:
    - (a) has permanent status for 3 or more years; AND
    - (b) is 1, 2, or 3 in length of service willing to accept promotion
- OR
- (c) is the only employee in the departmental unit in the next lower title in the same series (no intervening title); AND
  - (d) has one year of permanent service.
4. employee passes examination.

## SECTION 9: DEPARTMENTAL PROMOTIONAL EXAMINATIONS

### CRITERIA TO BE MET:

(for examination to be held)

1. requires two employees in the department who
2. have permanent status for one year in the
3. next lower title

NOTE: In some instances, temporary after certification time served in the next lower title will qualify an employee to participate in the Departmental Promotional examination.

## SECTION 15 PROVISIONAL PROMOTION WITHIN DEPARTMENTAL UNIT

### PROVISIONAL PROMOTION MAY BE MADE:

1. with the approval of the Personnel Administrator
2. of a permanent civil service employee
3. into next higher title when
4. no suitable eligible list exists

OR

5. the eligible list contains less than 3 names of eligible candidates willing to accept promotion

Section 15: Provisional Promotion within  
Departmental Unit (continued)

OR

6. an open competitive eligible list exists but the appointing authority requests a promotional list.
  - (a) If there is no employee in the next lower title, appointing authority may provisionally promote an employee at their own discretion. Sound and sufficient reasons must be supplied.
  - (b) Provisional promotion does not interrupt service in the person's permanent title for eligibility to participate in examination for next higher title.

SECTION 30  
PROMOTIONAL APPOINTMENT - LABOR SERVICE TO OFFICIAL SERVICE

CRITERIA TO BE MET:

(for promotion to be affected)

1. same department
2. permanent employee in labor service for one year after certification into
3. lowest title in official service
4. employee willing to accept promotion:
  - (a) is determined through the posting function
  - (b) is 1, 2, or 3 ranking in length of service
  - (c) is eligible to participate in examination (1 year after certification)
5. employee passes examination

NOTE: Also refer to Section 59 for specifics regarding public safety promotional examinations.



# REEMPLOYMENT



## SECTION 40: REEMPLOYMENT LIST

### CREATION OF LIST DUE TO:

1. employee lay off because of:
  - (a) abolition of position
  - (b) lack of work
  - (c) lack of money
2. employee resigns due to illness and requests within two years of resignation that the Personnel Administrator adds his/her name to the list

### LIST CHARACTERISTICS:

1. most senior names listed first
  2. names remain on list UNTIL
    - (a) a permanent appointment is made

OR

  - (b) two years has lapsed
3. reemployment list is certified before other lists
  - (a) If a position is abolished as a result of the transfer of functions to another department, the employee can opt to:
    - ° go on the reemployment list

OR

  - ° be transferred without loss of seniority, retirement or other rights



# REINSTATEMENT



## SECTION 39: SEPARATION AND MANDATORY REINSTATEMENT

### CRITERIA:

1. permanent employees separated due to
  - (a) lack of work or money

OR

  - (b) abolition of position
2. shall be separated according to seniority date
3. shall be reinstated in the same unit and same title by seniority  
  
(most senior - reinstated first AND most senior laid off last unless there are disabled veterans who have been retained in preference to all others; this is for retention preference ONLY, not for reinstatement purposes.)
4. employees shall be reinstated prior to consideration of any other applicant
5. employees' reinstatement rights are valid for 5 years from date of separation.

### DEMOTION:

- A. Employee may, within 7 days of receipt of the separation notice, consent in writing to a demotion.
- B. When positions are refunded, demoted employees are restored according to seniority.

## SECTION 39 (Section 3) DISABILITY RETIREMENT REINSTATEMENT

1. permanent employee on a disability retirement is
2. capable of returning to the same position as
3. determined by the retirement board (Chapter 32, Section 1)
4. employee must be reinstated before
5. any other eligible candidate is considered
6. if separation is greater than 5 years, appointing authority may require that the employee complete a retraining program.

Employees retain their original seniority dates.

## SECTION 46: REINSTATEMENT (VOLUNTARY)

### CRITERIA:

1. permanent employee whose employment was terminated and who wishes to be reinstated in the
2. same or another departmental unit in the
3. same title or lower title in the same series
4. appointing authority submits written request to Personnel Administrator which includes statement of why this reinstatement is "in the public interest"

-BUT-

- (a) if separation is but more than 5 years AND
- (b) a suitable eligible list exists THEN
- (c) reinstatement cannot be approved EXCEPT
- (d) there is no years of separation limitation of persons deemed qualified pursuant to chapter 32, section 8 (disability retirement; see section 29, subsection 3, of chapter 31).

### AFTER RETIREMENT (not disability) REINSTATEMENT:

1. retirement is invalidated AND
2. allowance is discontinued because the proceedings were illegal or defective AND
3. employee applies for reinstatement within one year after last retirement payment
4. reinstatement must be made.

## SECTION 46: REINSTATEMENT AND SENIORITY

### SENIORITY IS:

- A. date of reinstatement (into a different department)
- UNTIL
- B. employee has continuous service for
  - ° 3 years OR
  - ° twice the length of the absence from payroll
  - ° whichever is greater THEN



Section 46: Reinstatement  
and Seniority (continued)

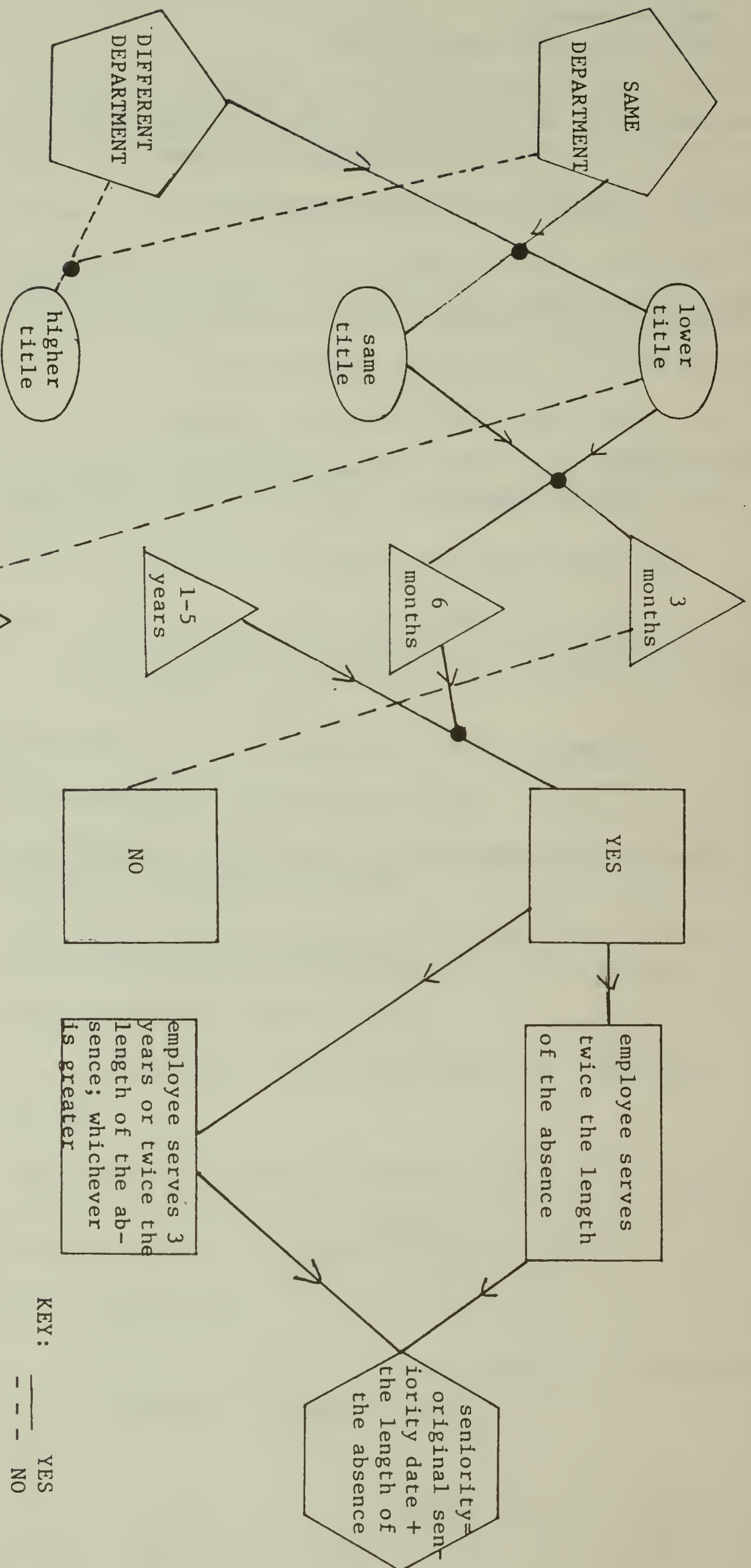
- C. a new seniority date is calculated by adding the length of the absence to the original seniority date.

If reinstatement occurs in the same department

1. Seniority is

- (a) date of reinstatement UNTIL
- (b) employee has continuous service for
- (c) twice the length of the absence THEN
- (d) a new seniority date is calculated by adding the length of the absence to the original seniority date.

JOB TITLE	LENGTH OF	SENIORITY	
SAME SERIES	SEPARATION	AFFECTED.....	UNTIL..... THEN



KEY:     YES  
          -- -- NO

Only permanent employees can be reinstated.

Any combination of the same type of intersecting lines are valid/invalid transactions.

# SECTION 46: REINSTATEMENT

# SENIORITY

Seniority is a measure of the length of time an employee has worked for an organization.

Seniority is often used to determine an employee's position in a hierarchy.

Seniority is also used to determine an employee's pay and benefits.

Seniority is a key factor in many employment decisions.

Seniority is a measure of an employee's experience and expertise.

Seniority is a key factor in determining an employee's value to an organization.

Seniority is a measure of an employee's loyalty and commitment.

Seniority is a key factor in determining an employee's eligibility for promotion.

Seniority is a measure of an employee's performance and productivity.

Seniority is a key factor in determining an employee's position in a team.

Seniority is a measure of an employee's knowledge and skills.

Seniority is a key factor in determining an employee's position in a company.

Seniority is a measure of an employee's experience and expertise.

Seniority is a key factor in determining an employee's value to an organization.

Seniority is a measure of an employee's loyalty and commitment.

Seniority is a key factor in determining an employee's eligibility for promotion.

Seniority is a measure of an employee's performance and productivity.

Seniority is a key factor in determining an employee's position in a team.

Seniority is a measure of an employee's knowledge and skills.

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Seniority is a key factor in determining an employee's eligibility for promotion.

Seniority is a measure of an employee's performance and productivity.

Seniority is a key factor in determining an employee's position in a team.

Seniority is a measure of an employee's knowledge and skills.



## SECTION 33: SENIORITY

DEFINITION: ranking based on length of service computed from the first date of full time employment as a permanent employee including the probationary period.

### SENIORITY CHANGES WHEN:

1. service is interrupted by an absence from the payroll of six months or more; THEN
2. seniority is the date of restoration to the payroll UNTIL
3. the employee has served twice the length of the absence (6 months absence - 1 year of service), a new seniority date is calculated by
4. adding the length of the absence (6 months) to the original seniority date
5. This second date is the employee's new seniority date.

CONTINUITY OF SERVICE IS NOT CONSIDERED INTERRUPTED IF THE ABSENCE WAS FOR:

1. military service
2. illness
3. educational leave
4. abolition of position
5. layoff due to lack of work or money
6. employee is injured on the job and receives workers' compensation provided:
  - (a) employee notifies the appointing authority within six months after the receipt of the final workers' compensation payment; AND
  - (b) a doctor's certificate is submitted which states that the employee can return to work.

## SECTION 46: REINSTATEMENT (voluntary) AND SENIORITY

Employee is reinstated in a different departmental unit than that in which the person was previously employed,

Section 46: Reinstatement (voluntary) and  
Seniority (continued)

SENIORITY IS:

1. the date of the reinstatement UNTIL
2. employee has continuous service for
  - (a) 3 years OR
  - (b) twice the length of the absence
  - (c) whichever is greater THEN
3. a new seniority date is calculated by adding the length of the absence to the original seniority date

If reinstatement occurs in the same department

SENIORITY IS:

1. date of reinstatement UNTIL
2. employee has continuous service for
3. twice the length of the absence THEN
4. a new seniority date is calculated by adding the length of the absence to the original seniority date

SECTION 35: TRANSFER AND SENIORITY

Change in jobs due to:

1. Appointment or transfer from
  - (a) one department to another under the same appointing authority OR
  - (b) one departmental unit to another within the same department THEN
  - (c) employee retains original seniority date
2. Appointment or voluntary transfer from
  - (a) one departmental unit to another under different appointing authorities OR
  - (b) one departmental unit to another in different departments OR



## Seniority (continued)

- (c) one city or town to another OR
- (d) one city or town to the state service OR
- (e) state service to municipal service THEN
- (f) seniority is the date of the change of employment UNTIL
- (g) employee serves for one year THEN
- (h) employee regains original seniority date

### 3. Voluntary transfer occurs from

- (a) one departmental unit to another, different departments, different appointing authorities OR
- (b) one city or town to another OR
- (c) municipal service to state service OR
- (d) state service to municipal service THEN
- (e) if the employee requested the transfer,
  - ° seniority is the date of the transfer UNTIL
  - ° employee serves for 3 years THEN
  - ° employee regains the original seniority dateOR
- (f) if it's an involuntary transfer, THEN
- (g) employee retains original seniority date

### SENIORITY AND LESS THAN FULL TIME EMPLOYMENT (Reserve, Intermittent, Part-time)

- A. For permanent, less than full time employees
- B. seniority is the date of appointment BUT
- C. employees are ranked (for seniority purposes) below all permanent, full-time employees

## SECTION 40: REEMPLOYMENT

- 1. If layoffs occur after reemployment occurs
- 2. reemployment date is used as the seniority date for determining least senior employee to be laid off first.





# TRANSFER



SECTION 35: Transfer and  
Seniority (continued)

(b) one municipality to another

(c) municipal to state service (or vice versa),

E. THEN, seniority is the effective date of the transfer

UNTIL

F. three years of service, THEN employee regains original seniority date.

SENIORITY NOT AFFECTED:

1. if one department to another under same appointing authority OR
2. one departmental unit to another within same department OR
3. the transfer is an involuntary one on the employee's part, THEN
4. employee retains original seniority date

SECTION 36: TRANSFER  
OFFICIAL SERVICE TO LABOR SERVICE

CRITERIA TO BE MET:

1. permanent employee in official service for one year
2. both positions under same appointing authority
3. written request accompanied by:
  - (a) statement indicating the person's qualifications
  - (b) statement that bulletin (section 29) has been posted in the departmental unit in which the vacancy occurs
  - (c) statement that this employee is the most qualified of those willing to accept
4. provisions of this section apply to positions partially in official service and partially in labor service
  - (a) person does not have to be eligible for certification in labor service

## SECTION 35: TRANSFER

(For employees tenured prior to October 14, 1968, see section 41)

### CRITERIA TO BE MET:

1. applies to tenured employees only (those who have completed the probationary period) Except voluntary transfer (permanent employee may transfer)
2. same or similar position
3. same or another departmental unit
4. submission to Personnel Administrator of written request signed by both appointing authorities which includes:
  - (a) sound and sufficient public interest statement
  - (b) statement that transfer imposes no unreasonable hardship on the employee
5. may be permanent or temporary in nature
6. temporary transfer does not:
  - (a) affect seniority
  - (b) interrupt service
7. employee may request transfer
8. an aggrieved person may appeal the transfer to the civil service commission (section 43)

### SENIORITY AND TRANSFER

#### AFFECTED:

- A. if different appointing authorities, departments, municipalities, or municipal to state service (or vice versa) are involved,
- B. THEN, seniority is date of change of employment UNTIL
- C. one year of service, then employee regains original date
- OR
- D. if employee requests transfer involving
  - (a) different departmental units, departments, appointing authorities

ONLY TENURED EMPLOYEES CAN BE TRANSFERRED INTO THE SAME OR SIMILAR POSITION WITH NO BREAK IN SERVICE.

SENIORITY IS THE EFFECTIVE DATE OF THE TRANSFER (CHANGE OF EMPLOYMENT)

UNTIL

EMPLOYEE SERVES ONE YEAR;  
THEN REGAINS ORIGINAL  
SENIORITY DATE

WHEN THE TRANSFER INVOLVES  
DIFFERENT APPOINTING  
AUTHORITIES  
DIFFERENT DEPARTMENTS  
DIFFERENT MUNICIPALITIES  
MUNICIPAL TO STATE SERVICE  
STATE TO MUNICIPAL SERVICE

EMPLOYEE SERVES THREE YEARS  
THEN REGAINS ORIGINAL  
SENIORITY DATE

WHEN THE EMPLOYEE REQUESTS  
THE TRANSFER AND IT INVOLVES  
DIFFERENT DEPARTMENTAL UNITS  
DIFFERENT DEPARTMENTS  
DIFFERENT APPOINTING  
AUTHORITIES  
DIFFERENT MUNICIPALITIES  
MUNICIPAL TO STATE SERVICE  
STATE TO MUNICIPAL SERVICE

NOT AFFECTED

WHEN THE TRANSFER INVOLVES  
DIFFERENT DEPARTMENTS WITH  
SAME APPOINTING AUTHORITY  
DIFFERENT DEPARTMENTAL UNITS  
IN THE SAME DEPARTMENT  
INVOLUNTARY ACTION ON  
EMPLOYEE'S PART  
TEMPORARY TRANSFER

## SECTION 35: TRANSFER



# Glossary of Personnel and Civil Service Terms

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**Administrator** The Personnel Administrator of the Department of Personnel Administration.

**Affirmative Action** The use of positive and aggressive measures to ensure equal opportunity, and to remedy the effects of present and past discriminatory practices.

**Appointing Authority** Any person, board, or commission with the power to appoint or employ personnel in a position.

**Appointment** There are several types:

- *Emergency* An appointment made for a specified time (generally 30 days) without requisition, to cover an unforeseen emergency.
- *Intermittent* An appointment from an eligible list to recurrent employment which may be regular or irregular as the needs of the service require.
- *Permanent* An appointment to a permanent position.
- *Provisional* An appointment authorized on a requisition when there is no civil service suitable eligible list.
- *Temporary* An appointment made for the duration of a vacancy from a certified eligible list.

**Alternate Departmental Promotional Exam** A competitive examination for promotion within a department open to certain employees in qualifying titles or who meet specific entrance requirements.

## Basic Merit Principles

- recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills including the open consideration of qualified applicants for initial appointment;
- providing equitable and adequate compensation for all employees;
- providing training and development for employees, as needed, to assure the advancement and high quality performance of such employees;
- retaining employees on the basis of adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
- assuring fair treatment of all applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, age, national origin, sex, marital status, handicap, or religion and with proper regard for privacy, basic rights, constitutional rights as citizens, and;

- assuring that all employees are protected against coercion for political purposes, and are protected from arbitrary and capricious actions.

**Career Management Service Positions** Those managerial and confidential positions designated in accordance with the provisions of Section 48A of Chapter 31.

**Certification** The designation to an appointing authority by the administrator, pursuant to the Civil Service law and Personnel Administration rules, of the names of persons from an eligible list or register who qualify for appointment to Civil Service positions.

**Chapter 31, Section 47A (formerly Chapter 778)** A means for appointing authorities to hire "disadvantaged" persons who pass examinations on a "special" eligible list. It provides that the Personnel Administrator "certify names alternatively from the regular list and the special eligible list."

**Chapter 500** A Chapter of the Acts of 1974 enacted to increase opportunities for part-time employment within all executive agencies of the Commonwealth.

**Civil Service** Classified civil service under the General Laws of Chapter 31 and Personnel Administration rules.

**Civil Service Appointment** An original appointment or a promotional appointment made pursuant to the provisions of the Civil Service law and Personnel Administration rules.

**Civil Service Employee** A person holding a Civil Service appointment.

**Civil Service Law and Personnel Administration Rules** Chapter 31 of the General Laws as amended and the rules promulgated pursuant to Chapter 31.

**Civil Service Position** An office or position, appointment to which is subject to the requirements of the Civil Service law and Personnel Administration rules.

**Class Allocation** The first official placement of a class (job title) in a job group in a salary schedule.

**Flextime** A program that allows participating employees to schedule their work hours on a daily basis within the guidelines and bandwidth established by their department. The number of hours worked per week remains constant, but the daily amount of hours can vary with employee selected starting and departing times.

**Handicap** Any condition or characteristic, physical or mental, which substantially limits one or more major life activities; or a record of such impairment; or the external manifestations of such impairment.

**Job** A non-technical term for a set of duties and responsibilities of a position or group of positions.

**Job Analysis** A systematic process for the examination and determination of:

- the nature, characteristics, functions, duties, activities or responsibilities of a job;
- the knowledge, skill or experience which is essential to have for its performance; and
- the environmental conditions, safety, equipment, tools and related factors of the job.

**Job Group** A unit of a salary schedule which includes all classes in a position classification plan which are sufficiently comparable in value as regards duties and responsibilities, regardless of the field of work of which they form a part, so that the same salary range may be made to apply to all classes in the same unit of a salary schedule.

**Labor Service** The composite of all civil service positions whose duties are such that a suitable selection for such positions may be made based upon registration pursuant to Section 28 of Chapter 31 rather than by competitive examination.

**Management Intern Examination** A competitive examination held for original appointment for persons with a bachelor's degree.

**Noncompetitive Examination** An examination given to an individual selected for original appointment by an appointing authority when it has been impossible to establish an eligible list.

**Massachusetts Employee Assistance Program (MEAP)** A program established to aid employees whose work performance has deteriorated because of alcohol and drug abuse, and other personal problems that affect productivity on the job.

**Occupational Group (Occupation)** All positions within a given discipline or field of work (all positions that are similar in kind) regardless of level of responsibility (e.g., the Professional Engineering Group).

**Official Service** The composite of all civil service positions not in the labor service.

**Original Appointment** An appointment pursuant to Section 6 or Section 28 of Chapter 31.

**Paragraph 10 (formerly Rule 14)** A means for appointing authorities to remedy the effects of illegal discriminatory practices providing increased opportunities to members of protected groups being considered for civil service employment.

**Performance Evaluation** An evaluation of an employee's performance in accordance with the standards outlined in Section 6 A to 6 C, inclusive of Chapter 31 of section 46C (a) of Chapter 30.

**Permanent Employee** A person who is employed in a civil service position (1) following an original appointment, subject to serving of a probationary period as required by law, but otherwise without restriction as to the duration of his or her employment; or (2) following a promotional appointment, without restriction as to the duration of his or her employment.

**Position** A group of duties and associated responsibilities assigned by proper authority to be performed by an employee. A position may be full or part time, occupied or vacant, temporary or permanent. The number of employed workers equals the number of filled positions. The position is the basic unit of organization.

**Position Allocation** The first official placement of a position in a class forming part of a position classification plan of the Commonwealth.

**Position Classification Plans** The plans resulting from position allocations pertaining to the personal services of the Commonwealth, except offices and positions in the judicial and legislative branches.

**Position Reallocation** Any subsequent official placement of a position in a class, forming part of a position classification plan of the Commonwealth.



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**Class Reallocation (Upgrading)** The official subsequent placement of a class job title in a higher job group in a salary schedule.

**Class (Class of Positions)** All positions that are sufficiently similar in kinds of duties and levels of responsibility that: 1) the same descriptive title may be used to designate each position; 2) essentially the same tests of merit and fitness may be used to select employees; and 3) under like working conditions, the same schedule of compensation may be applied with equity. *Position and class are identical only when the class consists of a single position.*

**Class Specification** An official description of the characteristic duties, responsibilities and qualification requirements of a class.

**Classified Civil Service** Offices and positions to be filled under Chapter 31 and the Personnel Administration rules.

**Classification Plan** All classes that have been established for an agency, and the procedures utilized to maintain the plan and specification maintenance.

**Commission** The Civil Service Commission of the Commonwealth.

**Competitive Examination** A Civil Service examination held for original appointment and open to all eligible persons.

**Competitive Promotional Examination** A competitive examination for promotion open to certain employees of the Commonwealth in qualifying titles.

**Continuous Examination** Competitive examination held from time to time whenever the Administrator determines the public convenience so requires for original appointment and open to all eligible persons.

**Delegation** The delegation of the administration of civil service personnel functions.

**Departmental Promotional Examination** A competitive examination within a department for promotion within the department and open only to certain employees in specific titles.

**Disabled Veteran** Any veteran who (1) has a continuing service-incurred disability of not less than ten per cent based on wartime service for which he is receiving or entitled to receive compensation from the veterans administration or, provided that such disability is a permanent physical disability, for which he has been retired from any branch of the armed forces and is receiving or is entitled to receive a retirement allowance, or (2) has a continuing service-incurred disability based on wartime service for which he is receiving or is entitled to receive a statutory award from the veterans administration.

**Discharge** The permanent, involuntary separation of a person from Civil Service employment by an Appointing Authority.

**Duty** A work activity, function, or mission recognized by management as being a principal responsibility of a position.

**Eligible List** A list established by the administrator, pursuant to Civil Service law and Personnel Administration rules, of persons who have passed an examination; or a re-employment list established pursuant to Section 40 of Chapter 31; or a list of intermittent or reserve fire or police officers as authorized under the provisions of Section 60 of Chapter 31; or any other list established pursuant to the Personnel Administration rules from which certifications are made to Appointing Authorities to fill positions in the official service.

**Entrance Requirements** The prerequisites which an applicant must satisfy to be eligible to take an examination.

**Equal Employment Opportunity** The removal of all barriers to employment which unfairly discriminate against certain groups of individuals. This applies to the areas of hiring, promotion, demotion, transfer, recruitment, layoff or termination, rate of compensation, in-service or apprenticeship programs, and all other terms and conditions of employment.

**Executive Office Promotional Examination** A competitive examination within an Executive Office for promotion within that office and open to certain employees in qualifying titles.

**Probationary Period** A preliminary period of employment prior to permanent appointment of an employee for the purpose of determining his/her fitness for permanent employment.

**Promotional Appointment** An appointment pursuant to Section 7 or, in the labor service pursuant to the Personnel Administration Rules, or a person employed in one title to a higher title in the same or a different series, or to another title which is not higher but where substantially dissimilar requirements prevent a transfer pursuant to Section 35 of Chapter 31.

**Promotion Examination** An examination for positions in a particular class, admission to which is limited to employees in the classified service who have held a position in another class.

**Promotional List** A list of persons who have been found qualified by a promotional examination for promotion to a position in a particular class.

**Qualifying Examination** An examination given to test the qualifications of an incumbent whose position is placed under Civil Service by law or Personnel Administration rule, or an examination given to an individual to qualify for promotion, as provided in General Laws, Chapter 31, Section 8.

**Race/Ethnic Groups:**

*White* All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

*Black* All persons having origins in any of the Black racial groups of Africa.

*Hispanic* All persons of Mexican, Puerto Rican, Cuban, Central or South American culture or origin.

*Asian or Pacific Islander* All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

*American Indian or Alaskan Native* All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

*Cape Verdean* All persons having origins in the Cape Verde Islands.

**Register** A list established by the Personnel Administrator, pursuant to the Civil Service law and the Personnel Administration rules, from which certifications are made to Appointing Authorities to fill Civil Service positions in the labor service.

**Regular Part-Time Employee** A person who works a regularly scheduled work week of at least half the hours of a full-time employee and who receives benefits prorated on the percentage of time worked.

**Reinstatement** The restoration of an employee to a position pursuant to the Civil Service law and Personnel Administration rules.

**Requisition** A request by an appointing authority to the administrator to certify names of persons for appointment to civil service positions.

**Roster** A list of permanent employees in a departmental unit, arranged according to seniority, and of employees appointed pursuant to temporary or provisional appointments.

**Rules** The rules of the Personnel Administrator promulgated pursuant to the Civil Service law.

**Seasonal position** A position requiring the services of an incumbent, on either a full-time or less than full-time basis, beginning no earlier than May 1 and ending no later than September 30th or beginning no earlier than November 1 and ending no later than April 1 in any twelve-month period; provided, however, that the following position shall not be deemed to be seasonal; (1) a position in the police force or fire force of a city or town, (2) a position in the detective force of the state department of public safety, in the capitol police force, or in the police force of the Metropolitan District Commission, and (3) a permanent position for which funds have been appropriated or are available on a permanent basis.

**Seniority** Ranking based on length of service.

**Series** A vertical grouping of related titles so that they form a career ladder.

**Suspension** A temporary, involuntary separation of a person from civil service employment by an appointing authority.

**Tasks** Official assignments for carrying out a specific duty. A task may be an entire duty or may be part of a duty.







